REMARKS

Claims 1-10 and 12-20 are all the claims presently pending in this application. Claims 1-10 have been amended to more particularly define the claimed invention. Claims 12-20 have been added to claim additional features of the claimed invention. Claim 11 has been canceled.

It is noted that the amendments are made only to more particularly define the invention and **not** for distinguishing the invention over the prior art, for narrowing the scope of the claims, or for any reason related to a statutory requirement for patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claim 10 is objected to due to informalities and Applicant has amended the claim in a manner believed fully responsive to all points raised by the Examiner.

Claims 10-11 are rejected under 35 U.S.C. §101, as being directed to non-statutory subject matter. Applicant has amended claim 10 in a manner believed fully responsive to all points raised by the Examiner and canceled claim 11.

Claims 1-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Takiguichi, U.S. Pat. No. 5,130,935, further in view of "Adobe Photoshop 7.0: Classroom in a Book," further in view of Yamakawa, U.S. Pat. No. 6,184,860.

This rejection is respectfully traversed in view of the following discussion.

I.   APPLICANT'S CLAIMED INVENTION

The claimed invention, as defined, for example, by independent claim 1, (and similarly independent claims 10 and 12) is directed to a method for correcting a facial image displayed on a monitor, the method including extracting pixels representing a plurality of specific areas from the facial image, selecting a correction item to be performed out of plural correction items, each of the plural correction items corresponding to each of the plurality of specific areas, detecting a position of a cursor in the facial image displayed on the monitor, and if a pixel pointed to by the cursor is in one of the plurality of specific areas corresponding to the correction item to be performed, subjecting the pointed to pixel to a correction process in accordance with the corresponding correction item.

Conventionally, image correction software is widely used for correcting an image downloaded to a PC including methods for correcting color in which when the skin color becomes greenish or blackish due to lighting in the image, where only the hue value of a pixel, which is outside of a predetermined range, is replaced or smoothed to correct the skin color. Additionally, a pixel image is subjected to smoothing only when dispersion of the pixel values of surrounding pixels is small, enabling smoothing and correction of bumps and dips in skin due to blemishes, while defining borders between areas such as eyes and hair which have different colors from each other. (Application at page 2, line 16 to page 3, line 2.)

The claimed invention (e.g., as recited in claims 1, 10 and 12), on the other hand, includes *extracting pixels representing a plurality of specific areas from said facial image, and selecting a correction item to be performed out of plural correction items, each of said plural correction items corresponding to each of said plurality of specific areas.* This feature of the invention allows correcting a facial image by which the image is corrected for plural

correction items with single, simple and quick operation. (Application at page 3, lines 14-

17.)

II.   THE PRIOR ART REJECTIONS

A.   The 35 U.S.C. § 103(a) Rejection over Takiguichi, U.S. Pat. No. 5,130,935 further in view of "Adobe Photoshop 7.0: Classroom in a Book," further in view of Yamakawa, U.S. Pat. No. 6,184,860

The Examiner alleges that Takiguichi, U.S. Pat. No. 5,130,935, (Takiguichi), further

in view of "Adobe Photoshop 7.0: Classroom in a Book," further in view of Yamakawa, U.S.

Pat. No. 6,184,860, (Photoshop and Yamakawa), makes obvious the invention of claims 1-11.

The Examiner alleges that one of ordinary skill in the art would have been motivated

to modify Takiguichi with the teaching from Photoshop and Yamakawa to form the invention

of claims 1-11. Applicant submits, however that these references would not have been

combined and even if combined, the combination would not teach or suggest each element of

the claimed invention.

Indeed, Applicant submits, however, that neither Takiguichi, nor Photoshop and

Yamakawa, nor any alleged combination thereof, teaches or suggests, "*extracting pixels*

representing <u>a plurality of specific areas from said facial image</u>, and selecting a correction

item to be performed <u>out of plural correction items, each of said plural correction items</u>

<u>*corresponding to each of said plurality of specific areas*</u>."

The Examiner alleges that Takiguichi discloses a skin color correction image

processing apparatus using image data from the facial image using a computer by measuring

the quantity of the image data with a predetermined region of color space, obtaining a

representative color value for the image data within that region, and correcting the color

image data based on the representative value and the measured quantity.

However, the Examiner fails to address, and Takiguichi fails to teach or suggest

"*extracting pixels representing a plurality of specific areas from said facial image*."

Takiguichi only discloses extracting pixels from a single area (judgment region) of a facial

image, and "an object to be corrected is not located at the center of an original [facial image],

is then necessary to use as a judgment region the entire image or the portion upon which the

object color concentrates." (Column of 5, lines 22-42, specifically lines 37-42.)

Additionally, the Examiner fails to address, and Takiguichi fails to teach or suggest

"*selecting a correction item to be performed out of plural correction items, each of said*

plural correction items corresponding to each of said plurality of specific areas." Takiguichi

only discloses the color correction item for a skin color for a single judgment region.

The Examiner admits that Takiguichi fails to teach or suggest:

"*selecting a correction item to be performed out of plural correction items, each of*

said plural correction items corresponding to each of said plurality of specific areas,"

"*detecting a position of a cursor in said facial image displayed on said monitor*," and

"*if a pixel pointed to by said cursor is in one of said plurality of specific areas*

corresponding to said correction item to be performed, subjecting said pointed to pixel to a

correction process in accordance with said corresponding correction item."

The Photoshop document discloses various graphic image selection methods/tools for

computer graphics editing software capable of selecting only a single graphic area of an

image with a selection tool.

Yamakawa discloses a method of correcting a selected partial picture data in the form

of a menu together with an expected result of correction.

However, Photoshop and Yamakawa fail to teach or suggest *"extracting pixels representing a plurality of specific areas from said facial image, and selecting a correction item to be performed out of plural correction items, each of said plural correction items corresponding to each of said plurality of specific areas."* This feature of Applicant's invention is important for correcting a facial image by which the image is corrected for plural correction items with single, simple and quick operation. (Application at page 3, lines 14-17.)

Therefore, Photoshop and Yamakawa fail to overcome the deficiencies of Takiguichi.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Takiguichi and Photoshop and Yamakawa (either alone or in combination) fail to teach or suggest each element and feature of Applicant's claimed invention.

B.   Newly Added Independent Claim 12 with Respect to the Applied Prior Art References

With respect to Applicant's newly added independent claim 12, and dependent claims 13-20, the applied prior art references and any combination thereof fail to teach or suggest:

"extracting pixels from a plurality of specific facial feature areas from said facial image based on facial features identified in said facial image,"

"providing a plurality of image correction items, each of said plurality of image correction items corresponding to each of said plurality of specific facial feature areas,"

"determining a corresponding one of said plurality of specific facial feature areas based on said selecting one of said plurality of image correction items," and

"*correcting a pixel in said facial image <u>in accordance with said selected one of said
plurality of image correction items</u>, said pixel corresponding to said position of said cursor
when said position of said cursor is in said corresponding one of said plurality of specific
facial feature areas.*"

Therefore, none of the cited prior art references nor any alleged combination thereof
teaches or suggests these features of Applicant's claimed invention with respect to newly
added claims 12-20.

III.   FORMAL MATTERS AND CONCLUSION

Applicant requests that the Examiner acknowledge receipt of the priority document

filed on January 30, 2004. Applicant respectfully requests the Examiner to indicate on the

PTOL-326 under Priority under 35 U.S.C. § 119 whether the certified copy of the priority

document has been received. The PTOL-326 included in the Office Action mailed on May
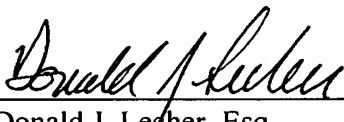
22, 2007 leaves all check boxes 1-3 blank.

In view of the foregoing, Applicant submits that claims 1-10 and 12-20, all of the

claims presently pending in the application, are patentably distinct over the prior art of record

and are in condition for allowance. The Examiner is respectfully requested to pass the above

application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance,

the Examiner is requested to contact the undersigned at the local telephone number listed

below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit

any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: _August 21, 2007_

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